

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has rejected claim 5 under 35 USC 112. Claim 5 has been amended to overcome this rejection.

The Examiner has rejected claims 1, 2, 4, 6, and 8 under 35 USC 102(b) as being anticipated by U.S. Patent No. 3,794,791 to *Thomson*. Claim 1 has been amended to overcome this rejection. The Examiner has also rejected claim 3 under 35 USC 103(a) as being obvious over *Thomson*. Furthermore, the Examiner has rejected claim 9 under 35 USC 103(a) as being obvious over *Thompson*.

The Examiner has stated that claim 7 is provisionally allowed and claim 10 is allowed.

In response to these rejections, claim 1 has been amended to overcome this rejection. In particular, claim 1 has been amended to state that the cover extends "over the actuating button." It also includes a means to enable the cover to rotate from its

closed position in a plane substantially perpendicular to longitudinal axis of the container to this opened position enabling free access to the actuating button.

Thomson does not show this. In particular, *Thomson* does not teach a means for rotational mounting of the coupling portions on the housing. Thus, according to FIG. 4 the switching device of *Thomson* includes a multiple operating button which when activated, slides in an L-shaped groove to execute a sliding horizontal motion and thereafter vertical motion in the direction of arrows. *Thomson* does not teach any embodiment having a switching device having a coupling part and free part where the coupling part is mounted on the housing for a rotational motion. Thus, *Thomson's* switching device shows a different arrangement where the switch is actuated in a different manner. This occurs by a first lateral movement to a position in which a light source is initiated and then through the pressing of the whole switching device downwardly to actuate the spray and/or whistle.

In addition, *Thomson* does not anticipate claim 2 because *Thomson* does not disclose a passage opposed to a recess in the sleeve providing for access to the container button for its direct activating by pressing from a user's finger.

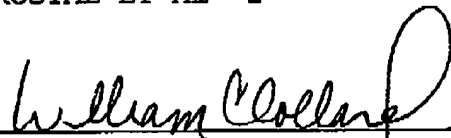
Finally, for claim 3 Thomson fails to disclose a flange for attachment of the lower part of the sleeve to the container. Furthermore, in claim 6 Thomson fails to teach any rotating cover moving upwardly and downwardly to take position projecting into the space behind the back side of the housing to protect the actuating button from an uncontrolled activation.

Claims 1, 2, 5, and 6 have been amended. New claim 11 has been added. It is respectfully submitted that the remaining claims are patentable over the above cited reference.

Therefore, it is respectfully submitted that the remaining claims are patentable over the above-cited patent to Thomson. Early allowance of the remaining claims is respectfully requested.

Respectfully submitted,
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I hereby certify that this correspondence is being sent by facsimile transmission to the USPTO to Patent Examiner S. E. Tyler at Group No. 3754 to 1-571-273-8300 on March 23, 2006.

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